

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

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In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, et al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

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In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO HIGHWAYS AND
TRANSPORTATION AUTHORITY (“HTA”),

Debtor.

PROMESA

Title III

No. 17 BK 3567-LTS

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INTERIM ORDER APPROVING AMENDED JOINT STIPULATION REGARDING
THE DRA PARTIES’ MOTION AND MEMORANDUM OF LAW IN SUPPORT OF
THEIR MOTION FOR RELIEF FROM THE AUTOMATIC STAY,
OR IN THE ALTERNATIVE, ORDERING PAYMENT OF ADEQUATE PROTECTION

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Upon consideration of the *Amended Joint Stipulation Regarding The DRA Parties' Motion and Memorandum of Law in Support of Their Motion for Relief from the Automatic Stay, or in the Alternative, Ordering Payment of Adequate Protection* (Docket Entry No. 9615 in Case No. 17-3283 and Docket Entry No. 661 in Case No. 17-3567, the “Amended Stipulation”),² a copy of which is annexed hereto as Exhibit A and incorporated herein by reference, filed on December 18, 2019, by the Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”), pursuant to the authority granted to it under the Enabling Act of the Fiscal Agency and Financial Advisory Authority, Act 2-2017; the Financial Oversight and Management Board for Puerto Rico (“FOMB”) in its capacity as representative of the Puerto Rico Highways and Transportation Authority (“HTA”); AmeriNational Community Services, LLC (the “Servicer”), as servicer for the GDB Debt Recovery Authority (the “DRA”), and Cantor-Katz Collateral Monitor LLC, a Delaware limited liability company (the “Collateral Monitor,” and together with the Servicer, collectively, the “DRA Parties”),³ and the Court having found and determined that (i) the Court has jurisdiction over this proceeding and the Amended Stipulation pursuant to 28 U.S.C. § 1331 and 48 U.S.C. § 2166(a); (ii) venue of this proceeding and the Amended Stipulation is proper under 28 U.S.C. § 1391(b) and 48 U.S.C. § 2167(a); and (iii) the Court having found good cause to grant the relief requested therein, it is

HEREBY ORDERED THAT:

1. The Amended Stipulation is **GRANTED** as set forth herein.

² Capitalized terms not defined herein have the same meaning as in the Amended Stipulation.

³ AAFAF, the Oversight Board, and the DRA Parties are sometimes hereinafter referred to as the “Parties” and each, a “Party”.

2. The Amended Stipulation is hereby approved on an interim basis and remains subject to entry of a final order, as directed by the Court at the December 11, 2019 Omnibus Hearing (Docket Entry No. 9580 in Case No. 17-3283).

3. Unless otherwise modified pursuant to the Amended Stipulation, the Original Order remains in full force and effect.

Dated: December 19, 2019

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge